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QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED
TO ANY FORM OF DETENTION OR IMPRISONMENT

TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT
OR PUNISHMENT

Report by the Special Rapporteur, Mr. P. Kooijmans, pursuant to
Commission on Human Rights resolution 1988/32

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its investigations. Therefore the Government of Honduras requested the Special Rapporteur to defer his study of the communications regarding Honduras until the above-mentioned Commission had pronounced itself and forwarded its conclusions to him.

India

53. On 6 April 1988, a letter was addressed to the Government of India transmitting information alleging that Seikh Jamal was arrested on 30 July 1987 by the Government Railway Police in West Bengal. On 31 July 1987, he reportedly died as a result of torture; his body was found inside the Satragachi police station in Haora (West Bengal). Ajay Kuman allegedly died on 13 August 1987 as a result of the beatings he had received at Danapur police station (Bihar). In addition, A. Rasheed was reportedly arrested on 14 August 1987 by police officers of the High Grounds police station in Bangalore, Karnataka. During his detention he was allegedly subjected to torture. On 18 August 1987, he was found dead by the Railway Police in Salim, Tamil Nadu; his body reportedly showed signs of torture. Furthermore, R.H. Mahil was allegedly detained on 23 August 1987 at the Welcome police station, New Delhi. According to the allegations, he died on 24 August 1987 after his release; his body bore signs of torture. Finally, it was reported that Mahinder and Ram Kumar were beaten with sticks and hung upside-down on 24 August 1987 at the Viveck Vihar police station, New Delhi. They were brought to the hospital, where Mahinder died on 25 August 1987 at 2 p.m., due to serious kidney damage, and Ram Kumar received treatment for fractured limbs.

54. On 10 June 1988, another letter was addressed to the Government of India transmitting information alleging that seven tribal leaders of Dungarpur District in southern Rajasthan (Ram Prasad Dindod, Lal Shankar, Halji, Sardara, Lakshman, Sardara and Ghattur) were arrested by the police on 14 August 1987, during a demonstration in Dungarpur District, southern Rajasthan, and were taken to the police station. Two days after their arrest, they were reportedly severely beaten and subjected to torture by the police officers of Sagbara Thana Shambola Thana and by the Dungarpur Police. In accordance with the information collected during judicial inquiries, it was reported that all named detainees were transferred in small groups for short periods of time to Hadha Kothi in the District of Sangrur, where they were subjected to severe torture during interrogation. Furthermore, Mr. Balkan Sing was arrested on 2 November 1987 and allegedly subjected to torture by the police at the Ma Madu central reserve police.

Indonesia

55. On 10 June 1988, a letter was addressed to the Government of Indonesia transmitting information alleging that in East Timor torture of prisoners appeared common and widespread. Mrs. Indrawati was allegedly arrested on 26 October 1987 in Sleman, Yogyakarta, Central Java. As a result of severe beatings, she was found half conscious in her cell days later and placed in hospital for treatment for 10 days. Furthermore, a young boy, Binsar, was arrested and allegedly severely tortured by eight prison employees during interrogation in room 5 in the Tanjung Gusta prison on 21 September 1987. He was reportedly no longer able to stand or walk and had difficulty in speaking.

56. On 19 October 1988, another letter was addressed to the Government of Indonesia transmitting information alleging that on 25 April 1988 several hundred Moluccans had been arrested by the military police in the Moluccas. Finally, it was reported that Pieter Nasarany was detained on 13 July 1988 in Piru, a village in West Seram Island. He was allegedly held incommunicado and subjected to torture.

57. On 22 July 1988, the Government of Indonesia informed the Special Rapporteur that Mrs. Indrawati had been arrested by the police on charges of arson in October 1987. During her detention she had fallen ill and been admitted to the Sleman Public Hospital. According to her medical examination there was no sign of violence on her body. She was no longer detained as evidence to be forwarded to the court by the District Attorney was lacking. Furthermore, the Government submitted information concerning Binsar, rejecting the allegation that his paralysis was a result of beatings by prison officers and stating that it was a result of high fever and feebleness of the legs. He had been released on 28 October 1987, but was still under the supervision of the Child Supervisory and Guidance Agency. His health had been restored and he had regained his ability to walk and speak without difficulty.

58. By a letter dated 30 November 1988, the Government of Indonesia rejected the accusation that several hundred Moluccans had been detained for the last four months in Molucca. It stated that, after a thorough investigation conducted by the authorities, the accusations were found to be factually untrue. Referring to the case of Pieter Nasarany, the Government informed the Special Rapporteur that he had been arrested on 13 July 1988, but had not been held incommunicado, nor subjected to torture.

Islamic Republic of Iran

59. On 25 October 1988, a letter was addressed to the Government of the Islamic Republic of Iran transmitting information alleging that torture was systematically used in that country. According to reports, children as young as six years old and women who had just given birth were subjected to torture. Complaints were also transmitted regarding poor prison conditions (narrow, damp, dark and overcrowded cells, insufficient food and non-existent sanitary conditions). In addition, three cases of alleged torture while in detention (Maryam Abdelahi, Maghrebi and Rashidi) were transmitted to the Government.

Israel

60. On 3 October 1988, a letter was addressed to the Government of Israel transmitting information alleging that the practice of torture on detainees, in particular minors, had become a routine in the occupied territories. Children and youths were subjected to beatings, sometimes until they lost consciousness in Ansar II, Al-Far'a Prison, Gaza Central Prison and Ramallah prison. Many children were reportedly tortured to extract confessions. Torture was allegedly also carried out by the Israeli Defence Forces.

61. The Government of Israel transmitted a reply to the letter of 3 October on 24 November 1988, repudiating the allegation that a policy of torture and ill-treatment was practised in the administered territories. It stated that Israel had been confronted with continual outbreaks of violence and that it was Israel's responsibility, recognized by international law, to protect its